



DEPARTMENT OF THE NAVY
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

JSR

JSR
Docket No. NR5548-14
15 January 2015

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 28 Mar 14 w/attachments
(2) HQMC JPL memo dtd 15 Oct 14
(3) HQMC MIQ memo dtd 6 Jan 15
(4) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by removing the service record page 11 ("Administrative Remarks (1070)") entries dated 16 January, 19 February, and 18 March 2009 (copies at Tab A).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 15 January 2015, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosures (2) and (3), the Headquarters Marine Corps offices with cognizance over the

subject matter of Petitioner's case have commented to the effect that the request has merit and warrants favorable action.

c. The page 11 on which the contested entry dated 18 March 2009 appears also includes uncontested entries.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an error and injustice warranting the following corrective action:

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing the service record page 11 ("Administrative Remarks (1070)") entries dated 16 January and 19 February 2009. This is to be accomplished by physically removing the page 11's on which the entries appear, or completely obliterating the entries so they cannot be read, rather than merely lining through them.

b. That his record be corrected further by removing the service record page 11 ("Administrative Remarks (1070)") entry dated 18 March 2009. This is to be accomplished by reconstructing the page 11 on which the entry appears, or completely obliterating the entry so it cannot be read, rather than merely lining through it.

c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

Jonathan S. Ruskin

JONATHAN S. RUSKIN
Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

A handwritten signature in dark ink, appearing to read 'R. J. O'Neill', written in a cursive style.

ROBERT J. O'NEILL
Executive Director